

County of Santa Clara
Office of the County Clerk-Recorder
Business Division

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688



Santa Clara County - Clerk-Recorder Office
State of California

File Number: ENV24279

ENVIRONMENTAL FILING

No. of Pages: 3

Total Fees: \$50.00

File Date: 11/18/2022

Expires: 12/23/2022

REGINA ALCOMENDRAS, Clerk-Recorder
By: Corinne Vasquez, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Morgan Hill, Development Services Department
2. PROJECT TITLE: Monterey-Kerley [DeNova Homes] Project
3. APPLICANT NAME: DeNova Homes, Inc. PHONE: (925) 685-0110
4. APPLICANT ADDRESS: 1500 Willow Pass Road, Concord, California 94520
5. PROJECT APPLICANT IS A: ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity
6. NOTICE TO BE POSTED FOR 35 DAYS.
7. **CLASSIFICATION OF ENVIRONMENTAL DOCUMENT**

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------|---------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ 3,539.25 | \$ 0.00 |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,548.00 | \$ 0.00 |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ 0.00 |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ 1,203.25 | \$ 0.00 |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)
Fish & Game Code §711.4(e) | \$ 50.00 | \$ 0.00 |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
| <input checked="" type="checkbox"/> 1. <u>NOTICE OF EXEMPTION</u> (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ 50.00 |
| <input type="checkbox"/> 2. <u>A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED</u> (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | | |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION | \$ 50.00 | \$ 0.00 |

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

- | | | |
|------------------------------------------------------------------------------------------|--------|-----------|
| <input type="checkbox"/> NOTICE OF PREPARATION <input type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ NO FEE |
|------------------------------------------------------------------------------------------|--------|-----------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____
9. TOTAL RECEIVED: _____ \$ 50.00

*NOTE: "**SAME PROJECT**" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE **SUBSEQUENT** FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND TWO (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:
ENV24279

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF MORGAN HILL, DEVELOPMENT SERVICES	LEAD AGENCY EMAIL	DATE 11/18/2022
COUNTY/STATE AGENCY OF FILING SANTA CLARA	DOCUMENT NUMBER	
PROJECT TITLE MONTEREY-KERLEY (DENOVA HOMES) PROJECT		

PROJECT APPLICANT NAME DENOVA HOMES, INC.	PROJECT APPLICANT EMAIL	PHONE NUMBER (925) 685-0110
PROJECT APPLICANT ADDRESS 1500 WILLOW PASS ROAD	CITY CONCORD	STATE CA
		ZIP CODE 94520
PROJECT APPLICANT (Check appropriate box) <input type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input checked="" type="checkbox"/> Private Entity		

CHECK APPLICABLE FEES:

- | | | |
|-----------------------------------------------------------------------------------------------------|------------|----------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,539.25 | \$ _____ |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,548.00 | \$ _____ |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ _____ |

- ☒ Exempt from fee
 ☒ Notice of Exemption (attach)
 ☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

- | | | |
|-------------------------------------------------------------------------------------------------------------|----------|------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ _____ |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ _____ \$50.00 |
| <input type="checkbox"/> Other | | \$ _____ |

PAYMENT METHOD:

- ☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

Corinne Vasquez, Deputy County Clerk-Recorder

Notice of Exemption

To: County Clerk
County of: Santa Clara
70 West Hedding Street, 1st Floor
San Jose, CA 95110

From: (Public Agency): City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Project Title: Monterey-Kerley [DeNova Homes] Project

Project Applicant: DeNova Homes, Inc.

Project Location - Specific:

The 4.6-acre project site is located at 19380 Monterey Road in the City of Morgan Hill, California. The site is comprised of two parcels identified by Assessor's Parcel Numbers (APNs) 726-42-001 and -002. Currently, the site is developed with structures associated with Family RV, an existing RV dealership. Family RV consists of a 5,000-square-foot metal building, two modular office buildings, a sanitary station, and gravel and asphalt parking lots. The site includes existing trees located at various points along the site's boundaries. The City of Morgan Hill 2035 General Plan designates the site as Mixed Use Flex and the site is zoned Mixed Use Flex (MU-F).

Project Location - City: Morgan Hill Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

The Monterey-Kerley [DeNova Homes] Project (proposed project) would consist of demolition of all existing on-site structures, followed by construction of 93 residential condominium units across 20 three-story buildings. The project would include various amenities, including a dog park, picnic areas, passive recreation areas, and an exercise structure. Primary site access would be provided by way of the existing driveway into the project site from Monterey Road, and internal access through the site would be provided by way of several private streets. The project would require approval of a Vesting Tentative Map and Design Permit.

Name of Public Agency Approving Project: City of Morgan Hill

Name of Person or Agency Carrying Out Project: DeNova Homes, Inc.

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ * Categorical Exemption. State code number: Section 15332, Class 32

Reasons why project is exempt:

Article 19 of the CEQA Guidelines, Sections 15300 through 15333, includes a list of classes of projects that have been determined to not have a significant effect on the environment, and are therefore exempt from CEQA. As demonstrated throughout the Initial Study prepared by the City, the proposed project qualifies for exemption under CEQA Guidelines Section 15332, Class 32. For example, the proposed project would be consistent with the General Plan land use designation of Mixed Use Flex, and thus, would meet Criterion 15332(a). In addition, the project would meet Criterion 15332(b) by being located near existing residential and commercial development on all sides. The project site does not support habitat for rare, threatened, or endangered species and the applicant would be subject to payment of all applicable development fees according to the Santa Clara Valley Habitat Plan (SCVHP). Thus, the proposed project would meet Criterion 15332(c). Furthermore, the proposed project would not result in any significant environmental effects related to traffic, noise, air quality, or water quality. The project can be adequately served by all required utilities and public services. As such, the proposed project would meet Criterion 15332(d) and 15332(e). It should also be noted that exceptions to the exemptions under CEQA Guidelines Section 15300.2 would not apply to the proposed project. Therefore, the proposed project would be considered exempt under CEQA Guidelines Section 15332, Class 32.

Lead Agency

Contact Person: Gina Paolini, Principal Planner, City of Morgan Hill Development Services Department
Area Code/Telephone/Extension: (408) 310-5332

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Gina Paolini Date: 11/16/2022 Title: Principal Planner
☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

County of Santa Clara
FINANCE AGENCY
Office of the County Clerk-Recorder

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110
(408) 299-5688



12/29/2022

CITY OF MORGAN HILL
17575 PEAK AVE
MORGAN HILL, CA. 95037

Re: CALIFORNIA ENVIRONMENTAL QUALITY ACT POSTINGS

Dear Lead Agency:

Enclosed please find the public copy posted in Santa Clara County Clerk-Recorder's Office for 35 days per CALIFORNIA CODES PUBLIC RESOURCES CODE SECTION 21152 (c)

Sincerely,
REGINA ALCOMENDRAS, Santa Clara County Clerk-Recorder



By: 
Mike Louie, Deputy Clerk-Recorder